

EXHIBIT 5-L

Affirmative Fair Housing Marketing Plan

U.S. Department of Housing and Urban Development
Office of Fair Housing and Equal Opportunity

Montana Department of Commerce HOME Program

1a. Applicant's Name, Address (including city, state & zip code) & Phone Number		1e. Price or Rental Range From \$ _____ To \$ _____		1f. For Multifamily Housing Only <input type="checkbox"/> Elderly <input type="checkbox"/> Non-Elderly	
1b. Project's Name, Location (including city, State and zip code)		1g. Approximate Starting Dates (mm/dd/yyyy) Advertising _____ Occupancy _____			
		1h. County _____		1i. Census Tract _____	
		1j. Managing/Sales Agent's Name & Address (including City, State and Zip Code)			
1c. Type of Application N/A		1d. Number of Units _____			
2. Type of Affirmative Marketing Plan Check all that apply. <input type="checkbox"/> Multifamily Housing <input type="checkbox"/> White (non-minority) Area <input type="checkbox"/> Single-Family Housing <input type="checkbox"/> Minority Area <input type="checkbox"/> Mixed Area (with _____ % minority residents)		3. Direction of Marketing Activity (Indicate which group(s) in the housing market area are least likely to apply for the housing because of its location and other factors without special outreach efforts). Check all that apply. <input type="checkbox"/> Elderly <input type="checkbox"/> American Indian <input type="checkbox"/> Black <input type="checkbox"/> Persons with Disabilities <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Hispanic <input type="checkbox"/> Families with Children <input type="checkbox"/> Other (specify): _____			
4a. Marketing Program: Commercial Media Select the type of media to be used to advertise the availability of this housing. Check all that apply. <input type="checkbox"/> Newspaper/Publications <input type="checkbox"/> Radio <input type="checkbox"/> TV <input type="checkbox"/> Billboards <input type="checkbox"/> Other (specify): _____					
Name of Newspaper, Radio or TV Station		Group Identification of Readers/Audience		Size/Duration of Advertising	
1.					
2.					
3.					
4.					
4b. Marketing Program: Brochures, Signs, and Fair Housing Poster (1) Will brochures, letters, or handouts be used to advertise? <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes", include a copy in your AFHM file for this project (2) For project sign, indicate sign size _____ x _____ Logo type size _____ x _____ (3) HUD's Fair Housing Poster must be conspicuously displayed wherever sales/rentals occur. Fair Housing Posters will be displayed in the: <input type="checkbox"/> Sales/Rental Office <input type="checkbox"/> Real Estate Office <input type="checkbox"/> Model Unit <input type="checkbox"/> Other (specify): _____					
4c. Community Contacts. To further inform the group(s) least likely to apply about the availability of the housing, the applicant agrees to establish and maintain contact with the groups/organizations listed below that are located in the housing market area. If more space is needed, attach an additional sheet. Notify MDOC HOME Program of any changes in this list. Attach a copy of correspondence to be mailed to these groups/organizations, or if currently not available maintain in AFHM file. (Provide all requested information.)					
Name of Group/Organization		Racial/Ethnic Identification		Approximate Date	
Group/Organization Contact Person					
1.					
2.					
3.					
4.					
Address and Phone Number		Method of Contact		Specific functions the Contact will serve	
1.					
2.					
3.					
4.					

5. Future Marketing Activities (Rental Units Only) Mark the box(es) that best describe marketing activities to fill vacancies as they occur after the project has been initially occupied.

- ☐ Radio
 ☐ Newspapers/Publications
 ☐ Community Contacts
 ☐ Brochures/Leaflets/Handouts
☐ TV
 ☐ Site Signs
 ☐ Other (specify):

6. Experience and Staff Training (See instructions)

6a. Staff has experience? ☐ Yes ☐ No

6b. Describe training to be provided to staff on Federal, State and local fair housing laws and regulations, as well as this AFHM Plan. Attach a copy of the instructions to staff regarding fair housing and the policy for referrals of housing questions and complaints to the Local Fair Housing Agency. Identify the Agency. Attach additional sheets as needed.

7. Additional considerations: Discuss any additional considerations. Attach additional sheets as needed.

8. Review and Revisions By signing this form, the applicant agrees, after appropriate consultation with the MDOC HOME Program to change any part of the plan covering a multifamily project to ensure continued compliance with the MDOC HOME Affirmative Fair Housing Marketing Policy and HUD's Affirmative Fair Housing Marketing Regulations (24 CFR 200.620).

MDOC HOME Program Use Only	
Signature of person submitting this Plan & Date of Submission (mm/dd/yyyy)	Reviewing Official Signature & Date (mm/dd/yyyy)
Name (type or print)	Name (type or print)
Title & Name of Company	Title

Previous Editions Obsolete

INSTRUCTIONS FOR COMPLETION OF THE AFHM PLAN

Send completed form to: Montana Department of Commerce HOME Program

Attention: HOME Program Manager

Part 1: Applicant and Project Identification. The applicant must provide the following information:

1a thru 1f: Self-Explanatory.

1g: The applicant should specify the approximate date for starting marketing activities to the groups targeted for special outreach and the anticipated date of initial occupancy (if unoccupied).

1h: The applicant should indicate the housing market area, in which the housing will be (is) located.

1i: The applicant may obtain census tract location information from local planning agencies, public libraries and other sources of census data, such as the US Census website.

1j: The applicant should complete only if a Managing/Sales Agent (the agent cannot be the applicant) is implementing the AFHM Plan.

Part 2: Type of Affirmative Marketing Plan. Applicants for multifamily housing projects should check the Multifamily Housing Plan. Applicants for a single-family housing project (homebuyer assistance, homeowner rehabilitation, or single-family housing development) should check the Single-family Housing Plan box. All Plans should indicate the racial composition of the housing market area in which the housing will be (is) located by checking one of the three choices. Applicants for scattered site projects covering housing market areas (county or census tract) must submit a Single-Family Housing Plan for each housing market areas in which the housing will be (is) located. For example, if a builder plans to construct units in both minority and non-minority housing market areas, a separate AFHM Plan shall be submitted for each housing market area. If it can be documented that the composition, type and percentage of targeted groups does not vary across the multiple housing market areas being served by the project, then only one AFHM Plan is necessary.

Part 3: Direction of Marketing Activity. Indicate which group(s) the applicant believes are least likely to apply for this housing without special outreach. Consider factors such as price or rental of housing, sponsorship of housing, racial/ethnic characteristics of housing market area in which housing will be (is) located, disability or familial status of eligible population, public transportation routes, etc. If the applicant believes that no group will need special outreach, the applicant must indicate in the plan and explain the reasons for such determination.

In determining which groups may require special outreach, the applicant should consider the following factors:

1. Practices or Policies of Discrimination such as exclusionary zoning practices; rental, sales, advertising, lending, appraisal, and other practices which may have resulted in discrimination.
2. Language Barriers.
3. Racial/Ethnic Composition of defined geographic areas. The applicant should consider the following:
 - The Neighborhood (Census Tract) in which the project is (or will be) located;
 - The occupancy profiles and waiting list composition of other projects in the market area;
 - Information on the income eligible population of the housing market area, including racial/ethnic group members, household headed by single persons (gender of household), persons with disabilities, the elderly, families with children and those persons identified as expected to reside in the jurisdiction.
4. Income Eligibility Requirements of the Program
5. Marketing to Individuals with Disabilities. In most instances, individuals with disabilities are not likely to

apply for the housing without special outreach activities, because such persons may not “apply” for housing units especially reserved for them without special assistance. The AFHM Plan should include resources that have persons with disabilities of all racial/ethnic groups on lists of potential referrals. Such resources include social service agencies, hospitals, or organizations serving persons with disabilities. The applicant for a rental activity, in planning its outreach to persons with disabilities, should also consider:

- Whether the building is a newly constructed one which must conform to the design provisions of the Fair Housing Act and the accessibility provisions of Section 504 of the Rehabilitation Act of 1973, as amended;
- How it plans to explain its policies on permitting reasonable modifications of the unit by the tenant; and
- Its policies with respect to reasonable accommodations in rules, policies, practices and services.

Part 4: Marketing the Program. The applicant must describe the marketing program and outline the methods to be used in marketing to all segments of the eligible population. The program must include special outreach steps which will be taken to attract the groups identified as persons least likely to apply for the housing.

4a: Commercial Media. The applicant must indicate the commercial media to be used to advertise the availability of the housing, in particular, the commercial media that are customarily used by the applicant, including minority publications, publications targeted toward persons with disabilities, and other outlets which are available in the housing market area. If the applicant does not intend to use commercial media, the Plan should indicate the reasons for not using such media. All advertising should be consistent with the Fair Housing Advertising Regulations (24 CFR 109) and the Fair Housing Act Regulations at 24 CFR 100.75.

4b: Brochures, Signs and the HUD Fair Housing Poster. Brochures, signs and the HUD Fair Housing Poster are to be an integral part of any successful affirmative marketing effort.

Brochures. The applicant should consider using brochures as part of the total marketing program. Brochures can be tailored to meet the specific housing needs of those persons who are members of the groups identified as least likely to apply for the housing. The brochure should communicate the applicant’s equal housing opportunity policy. The brochure must be consistent with the Fair Housing Advertising Guidelines, including display of the Equal Housing Opportunity Logotype and slogan. The brochure should, where appropriate, contain information on the applicant’s policy toward families with children and whether or not the project is reserved as “elderly housing.”

Signs. The applicant must indicate the size of any existing or proposed permanent project site sign. The sign must include the Equal Housing Opportunity Logotype. A picture of the sign must be placed in the AFHM program file.

Poster. Local and/or HUD’s Fair Housing Poster must be conspicuously displayed wherever sales/rentals and showings take place.

4c: Community Contacts. Community contacts should be individuals, organizations or agencies that have direct and frequent contact with those groups identified in the Plan as least likely to apply. Examples of suitable community contacts include:

1. Fair housing organizations and local nonprofit housing associations, housing counseling agencies, regional tenant referral services;
2. Minority organization, for example, League of United Latin American Citizens (LULAC),

National Association for the Advancement of Colored People (NAACP), Urban League, women's organizations, civil rights groups, editors of majority owned and minority-owned newspapers;

3. Organizations which advocate for persons with disabilities or address issues relating to the housing needs of such individuals; and
4. Organizations which advocate for families with children or address issues relating to housing needs of such families.

To determine the potential effectiveness of the proposed community contacts, the following questions should be considered:

1. Do the community organizations or individuals identified as community contacts have frequent contact with the target group(s)?
2. Are the functions that the community contacts are expected to perform in implementing the outreach program appropriate to their size and influence in the community?
3. Where applicable, does the applicant utilize organizations which have contact with those persons identified as expected to reside in the community?
4. In cases where organizations or individuals have previously served as community contacts, were these groups or individuals effective as such contacts?

Part 5: Future Marketing (For Rental Units Only). The applicant must describe in this part the types of activities to be undertaken after the completion of initial occupancy of rental units in order to fill vacancies resulting from normal turnover.

Note on AFHM Plan Modifications: The applicant may undertake the same marketing activities which were performed during the initial occupancy period or may propose modifications to the Plan, to be approved by the HOME Program.

Part 6: Experience and Staff Instructions. The proposed plan should include the following material on staff training and experience:

6a: Staff Experience. The applicant should indicate whether the sales/rental staff has had previous experience in marketing housing to group(s) identified as least likely to apply for the housing.

6b: Staff Instructions. Applicants are responsible for instructing all employees and agents in writing and orally concerning nondiscrimination in housing. Describe the instructions and training provided or to be provided to sales/rental staff. This guidance to staff must include information regarding Federal, State and local fair housing laws and this AFHM Plan. The specific civil rights laws and Executive Orders on which sales and management staff should be trained are:

1. The Fair Housing Act and 24 CFR Part 100, as well as the HUD complaint processing procedure;
2. Executive Order 11063 and 24 CFR Part 107;
3. The Affirmative Fair Housing Marketing Regulations, 24 CFR 200, Subpart M;
4. Montana Department of Commerce HOME Program Affirmative Fair Housing Marketing Policy
5. Title VI of the Civil Rights Act of 1964, where applicable; and
6. Section 504 of the Rehabilitation Act of 1973, as amended, where applicable, and 24 CFR Part 8.

The training should be designed to acquaint participants with the substantive requirements of the Fair Housing Act relating to financing and advertising, expected real estate broker conduct, redlining and zoning practices and discriminatory appraisal practices.

A copy of the instructions given to sub-management staff on fair housing concerns such as federal, state, and local fair housing laws and a copy of the applicant's Affirmative Fair Housing Marketing Plan should be included in the Civil Rights File (see Chapter 1 of the HOME Administration Manual) for future monitoring. The material must also indicate the date established for conducting the training and the name and title of the person responsible for providing the fair housing training.

The Civil Rights File must contain the following (See Exhibit 5-K for more information on what documentation is required):

- The special outreach activities undertaken to attract groups least likely to apply and the general public to the housing;
- A copy of training materials used to train sales/rental staff on Fair Housing laws;
- Communications with community contacts listed in the AFHM Plan;
- Copies of public advertisements, brochures, leaflets; and
- Race and ethnicity of all applicants for the housing.

Part 7-Additional Considerations. In this section, describe other groups to which the housing may be marketed and efforts not previously mentioned which are planned to attract persons least likely to apply for the housing. Such efforts may include outreach activities to grassroots faith-based or other community-based organizations, and other minority groups with Limited English Proficiency (LEP).

Part 8-Review and Update. Signature: The Plan must be signed by an authorized official of organization applying for HOME funds. By signing the form, the applicant agrees to comply with the HOME Program's Affirmative Marketing Policy and 24 CFR Section 200.620 of HUD's Affirmative Marketing Regulations, and to consult the MDOC HOME Program when making any change to the AFHM Plan. The Montana Department of Commerce HOME Program may monitor the implementation of this AFHM Plan at any time and request modification in its format or content, where deemed necessary.

Notice of Intent to Begin Marketing. No later than 90 days prior to the initiation of sales or rental marketing activities, the applicant of an approved AFHM Plan shall submit notice of intent to begin marketing to the HOME Program. The notification is required by the Affirmative Fair Housing Marketing Plan Compliance Regulations (24 CFR Part 108.15). It may be submitted either orally or in writing.